

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

RICHARD JOE ROBERTS,

Plaintiff,

v.

No.: 3:13-cv-546
(MATTICE/SHIRLEY)

RONALD SEALS, et al.,

Defendants.

MEMORANDUM

This is a *pro se* prisoner's civil rights action pursuant to 42 U.S.C. § 1983. On October 4, 2013, the Clerk's Office mailed the service packets to plaintiff at his last known address of Sevier County Jail. The mail was returned undelivered on October 21, 2013, with the notations "return to sender" and "not here." Plaintiff bears the burden of prosecuting his action, which includes informing the Court of his correct mailing address, and he has not done. Accordingly, this action will be **DISMISSED WITH PREJUDICE** for plaintiff's failure to prosecute. Fed. R. Civ. P. 41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991). The Court will **CERTIFY** that any appeal from this action would not be taken in good faith and would be totally frivolous. *See* Fed. R. App. P. 24.

AN APPROPRIATE ORDER WILL ENTER.

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE